

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ROLLAND HANLEY,

Plaintiff,

v.

OFFICER WILKENS, et al.,

Defendants.

Case No. 1:22-cv-00404-JLT-SAB

ORDER AUTHORIZING SERVICE OF
COMPLAINT, AND FORWARDING
SERVICE DOCUMENTS TO PLAINTIFF
FOR COMPLETION AND RETURN
WITHIN THIRTY DAYS

(ECF No. 8)

THIRTY DAY DEADLINE

Plaintiff Rolland Hanley, proceeding *pro se* and *in forma pauperis*, filed this action on April 8, 2022, against Defendant Officer Wilkens of the Merced County Sheriff's Department. This action was administratively designated as involving prisoner litigating his conditions of jail confinement. Following screenings and the filing of a second amended complaint, on July 27, 2022, the Court changed the administrative designation of this action to reflect that of a regular civil action, and assigned District Judge Jennifer Thurston to the matter. (ECF No. 9.)

In light of the issues and facts presented in the second amended complaint, in the interest of justice, the Court shall order the complaint to be served, and allow the served Defendant to present any responsive pleadings addressing Plaintiff's complaint. Given Plaintiff is proceeding *in forma pauperis*, the Court shall now authorize service and direct Plaintiff to complete service documents for the U.S. Marshal to effectuate service.

Accordingly, it is HEREBY ORDERED that:

1. Service shall be initiated on the following Defendant:

OFFICER WILKENS

2. The Clerk of the Court shall send Plaintiff one (1) USM-285 form, one (1) summons, a Notice of Submission of Documents form, an instruction sheet, and a copy of the second amended complaint filed June 16, 2022 (ECF No. 8);

3. Within **thirty (30) days** from the date of this order, **Plaintiff shall complete** the attached Notice of Submission of Documents and submit the completed Notice to the Court with the following documents:

a. One completed summons for each Defendant listed above;

b. One completed USM-285 form for each Defendant listed above; and

c. Two (2) copies of the endorsed second amended complaint filed June 16, 2022;

4. Plaintiff need not attempt service on the Defendant and need not request waiver of service. Upon receipt of the above-described documents, the Court will direct the United States Marshal to serve the above-named Defendant pursuant to Federal Rule of Civil Procedure 4 without payment of costs; and

5. **The failure by Plaintiff to comply with this order will result in dismissal of this action.**

IT IS SO ORDERED.

Dated: **August 3, 2022**



UNITED STATES MAGISTRATE JUDGE